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3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA
5 SAN JOSE DIVISION
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7 MARK VASQUEZ PAJAS, et al.,
8 Plaintiffs,

9 v.

10 COUNTY OF MONTEREY, et al.,
11 Defendants.

Case No. 16-cv-00945-BLF

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VERDICT FORM

JURY VERDICT FORM

We, the jury, unanimously find as follows:

I. DENIAL OF ADEQUATE MEDICAL CARE

1. Did Plaintiffs prove by a preponderance of the evidence that Defendants' employees denied adequate medical care to Mark Pajas, Sr. in violation of his rights under the Fourteenth Amendment to the United States Constitution?

☒ YES ☐ NO

2. Did Plaintiffs prove by a preponderance of the evidence that Defendant CHRISTINA KAUPP was deliberately indifferent to the serious medical needs of Mark Pajas, Sr., and that this caused harm to Mark Pajas, Sr.?

☐ YES ☒ NO

3. If you answered "YES" to Question 1, did Plaintiffs prove by a preponderance of the evidence that a policy, practice, custom, and/or failure to train of Defendants CFMG and/or the County of Monterey was the moving force in the denial of adequate medical care, and that this caused harm to Mark Pajas, Sr.?

CALIFORNIA FORENSIC MEDICAL GROUP ☐ YES ☒ NO

COUNTY OF MONTEREY ☒ YES ☐ NO

Go to Question 4.

II. FAILURE TO PROTECT FROM HARM

4. Did Plaintiffs prove by a preponderance of the evidence that Defendants' employees failed to protect Mark Pajas, Sr. in violation of his rights under the Fourteenth Amendment to the United States Constitution?

☐ YES ☒ NO

5. Did Plaintiffs prove by a preponderance of the evidence that Defendant CHRISTINA KAUPP was deliberately indifferent in failing to protect Mark Pajas, Sr., and that this caused harm to Mark Pajas, Sr.?

☐ YES ☒ NO

6. If you answered "YES" to Question 4, did Plaintiffs prove by a preponderance of the evidence that a policy, practice, custom, and/or failure to train of Defendants CFMG and/or the County of Monterey was the moving force in the failure to protect, and that this caused harm to Mark Pajas, Sr.?

CALIFORNIA FORENSIC MEDICAL GROUP ☐ YES ☐ NO

COUNTY OF MONTEREY ☐ YES ☐ NO

If you answered "YES" to Questions 2, 3, 5 and/or 6 above, go to Question 7. Otherwise, go to Question 8.

III. INTERFERENCE WITH FAMILIAL RELATIONS

7. For any Defendant you found liable under Sections I and/or II above, did Plaintiffs prove by a preponderance of the evidence that the Defendant's actions violated Plaintiffs' rights to familial relationships under the Fourteenth Amendment to the United States Constitution?

CHRISTINA KAUPP _____ YES ☒ NO

CALIFORNIA FORENSIC MEDICAL GROUP _____ YES ☒ NO

COUNTY OF MONTEREY ☒ YES _____ NO

Go to Question 8.

IV. WRONGFUL DEATH

8. If you found that CHRISTINA KAUPP's and/or CFMG employees' acts were deliberately indifferent, did the deliberate indifference result in CFMG acting wrongfully towards Mark Pajas, Sr.?

_____ YES ☒ NO

9. If you answered "Yes" to Question 8, was CFMG's wrongful act the cause of Mark Pajas, Sr.'s death?

_____ YES _____ NO

If you answered "NO" to Questions 1, 2, 3, 4, 5, 6, 7, 8 and 9, then skip Section V and sign and date this form.

If you answered "YES" to Questions 2, 3, 5, 6, 7 and/or 9, please answer Questions 10, 11 and 12.

V. DAMAGES

10. What do you find to be the total amount of damages suffered by each of the following Plaintiffs?

- a. ESTATE OF MARK PAJAS, SR.

Amount: \$ 0

- b. ROSEMARY LOPEZ

Amount: \$ 100,000

- c. YVETTE PAJAS

Amount: \$ 375,000

- d. MARK PAJAS, JR.

Amount: \$ 375,000

e. JANEL PAJAS

Amount: \$ 375,000

f. XAIVER PAJAS

Amount: \$ 375,000

Go to Question 11.

11. With respect to your findings on Questions 2, 3, 5, 6, and/or 7 for denial of adequate medical care, failure to protect, and/or interference with familial relations, do you find that Plaintiffs proved by a preponderance of the evidence that any of the following Defendants acted with malice, oppression, or reckless disregard for Plaintiffs' rights?

CALIFORNIA FORENSIC MEDICAL GROUP _____ YES X NO

CHRISTINA KAUPP _____ YES X NO

12. With respect to your finding on Question 9 for wrongful death, do you find that Plaintiffs proved by clear and convincing evidence that the following Defendant acted with malice, oppression, or reckless disregard for Plaintiffs' rights?

CALIFORNIA FORENSIC MEDICAL GROUP _____ YES X NO

VI. SIGN AND DATE THE SPECIAL VERDICT FORM

Signed: Alyssa J Olson

Foreperson of the Jury: Alyssa J Olson

Dated: 2/7/19

After this verdict form has been signed and dated, please submit a Jury Note to the Court Security Officer notifying the Court that the Jury has reached a verdict. Please return the verdict form to the Courtroom Deputy.